

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICROSOFT CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
DATATERN, INC.,	)	
	)	CIVIL ACTION NO. 1:11-cv-02365-KBF
Defendant.	)	CIVIL ACTION NO. 1:11-cv-02648-KBF
	)	
SAP AG and SAP AMERICA, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
DATATERN, INC.,	)	
	)	
Defendant.	)	
	)	

**DECLARATION OF KENNETH LORD WITH EXHIBITS**

**Contains confidential information  
Subject to Protective Order**

**FILED UNDER SEAL**